

IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

JANE DOE,

CASE NO.:

Plaintiff,

CIVIL DIV:

v.

ROBERT WILLIAM SCHNEIDER, DO,
AND IMA OF SOUTH FLORIDA, LLC
F/K/A INTERNAL MEDICINE
ASSOCIATES, P.A. AND/OR INTERNAL
MEDICINE ASSOCIATES SNF, LLC,

Defendant.

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

Plaintiff, JANE DOE, hereby sues Defendants, ROBERT WILLIAM SCHNEIDER, DO, and IMA OF SOUTH FLORIDA, LLC F/K/A INTERNAL MEDICINE ASSOCIATES, P.A. AND/OR INTERNAL MEDICINE ASSOCIATES SNF, LLC, jointly and severally and alleges as follows:

1. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs.
2. At all times material to the cause herein, Plaintiff, JANE DOE, was a resident of Palm Beach County, Florida, and is *sui juris*.
3. Plaintiff identifies herself by a pseudonym because in this matter, which involves non-consensual, inappropriate, abusive, and sexual conduct toward Plaintiff, Plaintiff will be required to disclose information of the utmost intimacy and may be further damaged if her identity were publicly known and available.
4. Plaintiff's identity will be made known to each Defendant.

5. At all times material hereto, Defendant, ROBERT WILLIAM SCHNEIDER, DO, was a primary care physician who holds a license as an Osteopathic Physician in the State of Florida.

6. At all times material hereto, Defendant, ROBERT WILLIAM SCHNEIDER, DO, provided services to patients in Boca Raton, FL.

7. At all times material hereto, Defendant, IMA OF SOUTH FLORIDA, LLC F/K/A INTERNAL MEDICINE ASSOCIATES, P.A. AND/OR INTERNAL MEDICINE ASSOCIATES SNF, LLC (hereinafter "IMA OF SOUTH FLORIDA") was a provider of Internal Medicine services that employs multiple licensed physicians including ROBERT WILLIAM SCHNEIDER, DO.

8. At all times material hereto, Defendant, IMA OF SOUTH FLORIDA maintained a location for providing medical services in Boca Raton, FL.

9. The physicians of IMA OF SOUTH FLORIDA include physicians who are Board Certified in Internal Medicine and several who are not Board Certified in any specialty. ROBERT WILLIAM SCHNEIDER, DO holds no Board Certification.

10. At all times material hereto, Defendant ROBERT WILLIAM SCHNEIDER, DO was an employee, agent, apparent agent and/or servant of the Defendant IMA OF SOUTH FLORIDA.

11. At all times material hereto, Defendant, ROBERT WILLIAM SCHNEIDER, DO, was a physician who tendered medical services to patients of the IMA OF SOUTH FLORIDA including Plaintiff, JANE DOE.

12. At all times material hereto, Defendant IMA OF SOUTH FLORIDA, employed other individuals such as nurses and assistants who participated in the care, treatment and supervision of the Plaintiff, JANE DOE, and were employees, agents, apparent agents, and/or servants of the Defendant IMA OF SOUTH FLORIDA.

13. At all times material hereto, each individual, entity and/or corporation listed above operated and acted through its employees, agents, apparent agents and/or servants and were also acting agents or apparent agents of each other.

14. The material acts described in this Complaint took place in Palm Beach County.

15. On October 4, 2013, Plaintiff JANE DOE was evaluated by Defendant ROBERT SCHNEIDER, DO at IMA OF SOUTH FLORIDA. Defendant Dr. Schneider indicated Plaintiff JANE DOE suffered from Cervicalgia, Cervical Abnormality and Eclampsia. Defendant ROBERT SCHNEIDER, DO prescribed Tylenol with Codeine and Zofran.

16. On September 2, 2014, Plaintiff JANE DOE returned to IMA OF SOUTH FLORIDA and was again seen by Defendant ROBERT SCHNEIDER, DO. At this visit, Defendant ROBERT SCHNEIDER, DO renewed his prior impressions, adding anxiety as a diagnosis. Defendant ROBERT SCHNEIDER, DO then prescribed Xanax to Plaintiff.

17. On October 26, 2015, Plaintiff JANE DOE was evaluated by Defendant ROBERT SCHNEIDER, DO at IMA OF SOUTH FLORIDA. Dr. Schneider renewed his prior diagnosis and continued to prescribe Tylenol with Codeine, Zofran, and Xanax to Plaintiff.

18. On August 18, 2016 and November 14, 2016, Plaintiff JANE DOE returned to IMA OF SOUTH FLORIDA to be evaluated by Defendant ROBERT SCHNEIDER, DO. Dr. Schneider renewed his prior diagnosis and continued to prescribe Tylenol with Codeine, Zofran, and Xanax to Plaintiff, however also added Klonopin as a prescribed medication.

19. On later visits in 2017, 2018 and 2019, Plaintiff JANE DOE returned to IMA OF SOUTH FLORIDA to be evaluated by Defendant ROBERT SCHNEIDER, DO. Dr. Schneider renewed his prior diagnosis and continued to prescribe Tylenol with Codeine, Zofran, Xanax, and Klonopin to Plaintiff.

20. In December of 2018, Plaintiff JANE DOE returned to IMA OF SOUTH FLORIDA to be evaluated by Defendant ROBERT SCHNEIDER, DO. Dr. Schneider "prescribed"

medical marijuana in addition to the Narcotic Opioid medications and benzodiazepines Dr. Schneider had previously been prescribing.

21. Plaintiff JANE DOE was given shots containing Toradol and a Steroid during multiple non-documented office visits to IMA OF SOUTH FLORIDA by Defendant ROBERT SCHNEIDER, DO.

22. Neither the “prescription” for medical marijuana nor the pain related shots of Toradol and/or Steroids were documented or notated within Plaintiff JANE DOE’s medical records.

23. In February 2019, Defendant ROBERT SCHNEIDER, DO initiated sexual contact with his patient, Plaintiff JANE DOE.

24. Plaintiff JANE DOE remained a patient of IMA OF SOUTH FLORIDA as Defendant ROBERT SCHNEIDER, DO continued his inappropriate and unethical sexual conduct toward his patient, Plaintiff JANE DOE.

25. Defendant ROBERT SCHNEIDER, DO engaged in his inappropriate and unethical sexual conduct toward Plaintiff JANE DOE from February 2019 through October 2021.

26. Plaintiff JANE DOE relied on Defendant ROBERT SCHNEIDER, DO for her medical needs, and relied on the entirety of the practice staff at IMA OF SOUTH FLORIDA to ensure her medical needs and conditions were properly addressed.

27. Defendant, ROBERT SCHNEIDER, DO created a dependency on himself by prescribing narcotic Opioid medications and narcotic anti-anxiety medications to Plaintiff JANE DOE while pursuing an inappropriate, abusive, and sexual relationship with her.

28. Defendant, IMA OF SOUTH FLORIDA, and Defendant, ROBERT SCHNEIDER, DO, provided “concierge” service to Plaintiff JANE DOE without charging her for same.

29. Defendant ROBERT SCHNEIDER, DO would “sneak” Plaintiff JANE DOE into his office, within the IMA OF SOUTH FLORIDA office located in Boca Raton, FL, and there

were no actions taken by any IMA OF SOUTH FLORIDA's employees, agents, apparent agents, and/or servants to prevent same from occurring.

30. Defendant IMA OF SOUTH FLORIDA and its employees, agents, apparent agents, and/or servants failed to protect Plaintiff JANE DOE from the inappropriate, abusive, and sexual conduct of Defendant ROBERT SCHNEIDER, DO.

31. Plaintiff JANE DOE served a Restraining Order on Defendant ROBERT SCHNEIDER, DO at the offices of IMA SOUTH FLORIDA. Plaintiff was never contacted by any healthcare staff or employees, agents, apparent agents, and/or servants of IMA SOUTH FLORIDA regarding such Protective Order.

32. As a direct and proximate result of the actions and inactions of Defendants ROBERT SCHNEIDER, DO and IMA SOUTH FLORIDA and its employees, agents, apparent agents, and/or servants, Plaintiff JANE DOE has suffered damages and injuries, some of which are permanent and ongoing in nature.

COUNT ONE
Negligence Claim against ROBERT SCHNEIDER, DO

33. Plaintiff realleges paragraph 1 through 32 as if fully stated herein.

34. At all times material hereto, Plaintiff JANE DOE was a patient of Defendant, ROBERT SCHNEIDER, DO.

35. Defendant ROBERT SCHNEIDER, DO provided medical services to Plaintiff JANE DOE from 2013 through 2021 which included diagnosing, treating, and prescribing medications to Plaintiff JANE DOE.

36. At all times material hereto, ROBERT SCHNEIDER, DO, had a professional duty to provide professional medical care to Plaintiff JANE DOE.

37. The standard of professional care owed by Defendant ROBERT SCHNEIDER, DO to Plaintiff JANE DOE is a level of care, skill, and treatment that, in consideration of all

surrounding circumstances, is recognized as acceptable and appropriate by similar and reasonably prudent health care providers.

38. At all times material hereto, ROBERT SCHNEIDER, DO was careless, negligent and breached said duty in the following ways:

- a. Failed to properly manage the prescription Opioids he was prescribing to Plaintiff JANE DOE pursuant to Florida Law.
- b. Failed to properly record certain treatments and procedures administered to Plaintiff JANE DOE within her medical chart and/or notes.
- c. Failed to properly interact with the Plaintiff, JANE DOE, in light of the physician – patient relationship between them.
- d. Engaged in inappropriate, abusive, and sexual conduct toward Plaintiff, JANE DOE.

39. As a direct and proximate result of ROBERT SCHNEIDER, DO, breach of such duty, Plaintiff JANE DOE has sustained injuries and damages.

40. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT TWO
Sexual Abuse Claim against ROBERT SCHNEIDER, DO

41. Plaintiff realleges paragraphs 1 through 40 as if fully set forth herein.

42. Defendant, ROBERT SCHNEIDER, DO, is in violation of Florida Statutes Section 459.0141 which is as follows:

459.0141 Sexual misconduct in the practice of osteopathic medicine.—The osteopathic physician-patient relationship is founded on mutual trust. Sexual misconduct in the practice of osteopathic medicine means violation of the osteopathic physician-patient relationship through which the osteopathic physician uses the relationship to induce or attempt to induce the patient to engage, or to engage or attempt to engage

the patient, in sexual activity outside the scope of the practice or the scope of generally accepted examination or treatment of the patient. Sexual misconduct in the practice of osteopathic medicine is prohibited.

43. Defendant ROBERT SCHNEIDER, DO violated such statute when he used his position of power to induce Plaintiff JANE DOE to engage in non-consensual sexual activity both inside and outside the scope of practice.

44. As a direct and proximate result of Defendant ROBERT SCHNEIDER, DO's sexual abuse and misconduct, Plaintiff JANE DOE has suffered injuries and damages.

45. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT THREE

Breach of Fiduciary Duty by Defendant ROBERT SCHNEIDER, DO

46. Plaintiff realleges paragraphs 1 through 45 as if fully stated herein and states as follows:

47. Defendant, ROBERT SCHNEIDER, DO, had a fiduciary duty to Plaintiff JANE DOE, as he was her treating physician, and she was reliant on him for medical advice and for treatment of certain conditions.

48. Plaintiff JANE DOE placed her confidence and/or trust in Defendant ROBERT SCHNEIDER, DO.

49. Defendant, ROBERT SCHNEIDER, DO created a dependency on himself by prescribing narcotic Opioid medications and narcotic anti-anxiety medications to Plaintiff JANE DOE while pursuing an inappropriate, abusive, and sexual relationship with her.

50. As a result of the above-mentioned acts, Defendant, ROBERT SCHNEIDER, DO breached his fiduciary duty to Plaintiff JANE DOE.

51. As a direct and proximate result of Defendant ROBERT SCHNEIDER, DO's Breach of Fiduciary Duty, Plaintiff JANE DOE has suffered injuries and damages.

52. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT FOUR

Intentional Infliction of Emotional Distress by Defendant ROBERT SCHNEIDER, DO

53. Plaintiff realleges paragraphs 1 through 52 as if fully stated herein and states as follows:

54. Defendant, ROBERT SCHNEIDER, DO's conduct on one or more occasion towards Plaintiff, JANE DOE, was intentional and he knew or should have known that emotional distress and other damages would likely result.

55. Defendant, ROBERT SCHNEIDER, DO's conduct on one or more occasion towards Plaintiff, JANE DOE, was outrageous and beyond all bounds of decency and would be and is regarded as utterly intolerable in a civilized community.

56. Defendant, ROBERT SCHNEIDER, DO caused the Plaintiff, JANE DOE emotional distress when he intentionally created a dependency on himself by way of his prescribing of narcotics while pursuing an inappropriate, abusive, and non-consensual sexual relationship with Plaintiff, JANE DOE.

57. As a result of the above-mentioned acts, Plaintiff, JANE DOE, has suffered severe emotional distress and other injuries due to the conduct of the Defendant, ROBERT SCHNEIDER, DO.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT FIVE

Negligent Infliction of Emotional Distress by Defendant ROBERT SCHNEIDER, DO

58. Plaintiff realleges paragraphs 1 through 57 as if fully stated herein and states as follows:

59. Defendant, ROBERT SCHNEIDER, DO's conduct on one or more occasion towards Plaintiff, JANE DOE, was negligent in his personal dealings with Plaintiff, JANE DOE, and he knew or should have known that emotional distress would likely result to her.

60. Defendant, ROBERT SCHNEIDER, DO's conduct on one or more occasion towards Plaintiff, JANE DOE, was outrageous and beyond all bounds of decency and would be and is regarded as utterly intolerable in a civilized community.

61. Defendant, ROBERT SCHNEIDER, DO caused the Plaintiff, JANE DOE emotional distress when he negligently and inappropriately engaged and pursued a non-consensual sexual relationship with his patient, Plaintiff, JANE DOE.

62. As a result of the above-mentioned acts, Plaintiff, JANE DOE, has suffered severe emotional distress and other injuries due to the conduct of the Defendant, ROBERT SCHNEIDER, DO.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT SIX

Negligence Claim against IMA OF SOUTH FLORIDA

63. Plaintiff realleges paragraph 1 through 62 as if fully stated herein.

64. At all times material hereto, Plaintiff JANE DOE was a patient of Defendant, IMA OF SOUTH FLORIDA.

65. At all times material hereto, Defendant IMA OF SOUTH FLORIDA and its employees, agents, apparent agents, and/or servants provided medical services to Plaintiff JANE DOE from 2013 through 2021 which included diagnosing, treating, and prescribing medications to Plaintiff JANE DOE.

66. At all times material hereto, Defendant IMA OF SOUTH FLORIDA, had a professional duty to provide professional medical care to Plaintiff JANE DOE.

67. The standard of professional care owed by Defendant IMA OF SOUTH FLORIDA to Plaintiff JANE DOE is a level of care, skill, and treatment that, in consideration of all surrounding circumstances, is recognized as acceptable and appropriate by similar and reasonably prudent health care providers.

68. Defendant IMA OF SOUTH FLORIDA's duty also included protecting its patients, including Plaintiff, JANE DOE, from sexual abuse by its doctors, employees, agents, apparent agents, and/or servants.

69. At all times material hereto, IMA OF SOUTH FLORIDA was careless, negligent and breached said duty in the following ways:

- a. Failed to properly manage or oversee the prescription Opioids and Narcotics that were being prescribed to its patients, including Plaintiff JANE DOE pursuant to Florida Law.
- b. Failed to protect Plaintiff JANE DOE from improper and unethical sexual predation that occurred in its office and by its doctors, employees, agents, apparent agents, and/or servants.
- c. Failed to follow up with its patient, Plaintiff JANE DOE after learning of the inappropriate, abusive, sexual relationship perpetrated by ROBERT SCHNEIDER, DO.

d. Failed to prevent the inappropriate, abusive, sexual relationship perpetrated by [REDACTED] for multiple years even though it knew or should have known same was occurring.

70. As a direct and proximate result of IMA OF SOUTH FLORIDA's breach of such duty, Plaintiff JANE DOE has sustained injuries and damages.

71. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT SEVEN
Vicarious Liability of IMA OF SOUTH FLORIDA

72. Plaintiff realleges paragraph 1 through 71 as if fully stated herein.

73. At all times material hereto, Plaintiff JANE DOE was a patient of Defendant, IMA OF SOUTH FLORIDA.

74. At all times material hereto, Defendant ROBERT SCHNEIDER, DO was acting within the course and scope of his employment, and/or agency with the Defendant IMA OF SOUTH FLORIDA.

75. At all times material hereto, the Defendant, ROBERT SCHNEIDER, DO's care and services were conducted under the supervision of the staff of IMA OF SOUTH FLORIDA who were also acting within the course and scope of their employment and agency of IMA OF SOUTH FLORIDA.

76. On one or more occasions, Defendant IMA OF SOUTH FLORIDA, through acts or omissions of its other agents, apparent agents, employees and/or servants breached its duty to the Plaintiff by negligently failing to adequately supervise Defendant, ROBERT SCHNEIDER,

DO, and negligently failed to protect Plaintiff JANE DOE from the improper prescribing of Opioids and from the sexual predation of ROBERT SCHNEIDER, DO.

77. Defendant IMA OF SOUTH FLORIDA, and its doctors, employees, agents, apparent agents, and/or servants were responsible and vicariously liable for negligent and intentional acts or omissions that occurred within the normal course and scope of their employment and agency.

78. At all times material hereto, the negligent acts or omissions, intentional acts and breach of duty as set forth herein by and through its apparent agents, agents, servants and/or employees, specifically ROBERT SCHNEIDER, DO and all employees that were aware of his acts, fell below the prevailing standards of care.

79. As a direct and proximate result of the acts of ROBERT SCHNEIDER, DO and all employees that were aware of his acts, including IMA OF SOUTH FLORIDA and its apparent agents, employees, and/or servants, the Plaintiff, JANE DOE, suffered injuries and damages some of which are permanent and continuing in nature including but not limited to mental anguish, loss of capacity for enjoyment of life, suffered the expense and continued treatment expenses, suffered lost wages, suffered the cost of medical and emotional damages and suffered aggravation of any pre-existing conditions.

80. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

COUNT EIGHT
Negligent Supervision of IMA OF SOUTH FLORIDA

81. Plaintiff realleges paragraph 1 through 80 as if fully stated herein.

82. At all times material hereto, Defendant ROBERT SCHNEIDER, DO, and other agents, servants and/or employees of were acting within the scope of their employment or agency with the Defendant IMA OF SOUTH FLORIDA.

83. At all times material hereto, Defendant ROBERT SCHNEIDER, DO and other personnel of Defendant IMA OF SOUTH FLORIDA had a duty and obligation to administer and appropriately manage medical services provided to its patients, including to Plaintiff JANE DOE.

84. At all times material hereto, Defendant ROBERT SCHNEIDER, DO's care and medical treatment was conducted and/or should have been conducted under the supervision of Defendant IMA OF SOUTH FLORIDA and its medical staff, who were also acting within the course and scope of their employment and/or agency within IMA OF SOUTH FLORIDA.

85. Plaintiff JANE DOE was assigned ROBERT SCHNEIDER, DO as her physician when she contacted and sought the services of IMA OF SOUTH FLORIDA.

86. At all times material hereto, Defendant IMA OF SOUTH FLORIDA had a duty to its patients, including Plaintiff JANE DOE, to ensure its doctors, employees, agents, apparent agents, and/or servants do not harm its patients.

87. Defendant IMA OF SOUTH FLORIDA breached that duty to its patients and to Plaintiff JANE DOE, when it failed to supervise ROBERT SCHNEIDER, DO and all of its other doctors, employees, agents, apparent agents, and/or servants.

88. The result of such failure to supervise was Plaintiff JANE DOE was improperly prescribed Opioid medications, medical marijuana, and other treatments along with being subjected to the sexual predation of its doctor, ROBERT SCHNEIDER, DO, who was acting under the supervision of IMA OF SOUTH FLORIDA within the course and scope of his employment and/or agency.

89. As a direct and proximate result of the negligent supervision of Defendant IMA OF SOUTH FLORIDA, along with the actions and/or inactions of its employees, agents and/or apparent agents, the Plaintiff, JANE DOE suffered injuries and damages which are permanent and

continuing in nature, including but not limited to mental anguish, loss of the capacity of life, suffered the expense of continued medical and substance abuse treatment, suffered lost wages, suffered the cost of medical and emotional injuries and suffered aggravation of any pre-existing injuries.

90. These injuries and damages to Plaintiff, JANE DOE, are permanent and continuing in nature and she will suffer these losses and impairments in the future.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against the Defendants jointly and severally and trial by jury of all issues so triable and any other relief within the purview and/or jurisdiction of this Honorable Court.

Dated this 5th day of April, 2024.

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